

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

OJSC UKRNAFTA,

*Plaintiff,*

v.

CARPATSKY PETROLEUM CORP., *et al.*,

*Defendants.*

§  
§  
§  
§  
§  
§  
§  
§  
§

CIVIL ACTION H-09-891

**ORDER**


On November 13, 2018, the court issued an order granting summary judgment in favor of defendant Carpatsky Petroleum Corporation (“CPC”). Dkt. 71. The court also ordered plaintiff OJSC Ukrnafta (“Ukrnafta”) to show cause why its claims against the other defendants should not be dismissed. *Id.* Ukrnafta filed a response stating that it voluntarily dismisses its claims against defendant Taurex Resources PLC and Kuwait Energy Company, K.S.C., but it would like to proceed against defendant Robert Bensch. Dkt. 76. The court will allow the claims against Bensch to proceed. However, it finds that it is in the interest of justice to sever the claims against Bensch and enter a final judgment with regard to all other defendants.

Accordingly, all of Ukrnafta’s claims against defendants Taurex Resources PLC and Kuwait Energy Company, K.S.C. are DISMISSED WITHOUT PREJUDICE.

Ukrnafta’s claims against Robert Bensch are SEVERED. Ukrnafta shall serve this order on Bensch within ten days of the date of this order. Bensch shall file an answer pursuant to the Federal Rules of Civil Procedure within twenty-one days of service. The parties shall file a joint discovery/case management plan and proposed scheduling order within twenty days after Bensch files his answer.

The court will enter a final judgment with regard to the claims against CPC, Taurex Resources PLC, and Kuwait Energy Company, K.S.C. concurrently with this order.

Signed at Houston, Texas on December 6, 2018.



---

Gray H. Miller  
United States District Judge